

EXHIBIT A

PART 1

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JEFFERSON CO TEXAS
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A-201134

CAUSE NO. _____

PATRICIA SWITZER § IN THE DISTRICT COURT
 §
V. § OF JEFFERSON COUNTY, TEXAS
 §
LOREN TIMOTHY BEACH and §
BEACH TRANSPORT, INC. § _____ JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE AND JURY OF SAID COURT:

NOW COMES, PATRICIA SWITZER (hereinafter called “Plaintiff”), and files this, her Plaintiff’s Original Petition complaining of Loren Timothy Beach and Beach Transport, Inc. (hereinafter called “Defendants”), and for cause of action would respectfully show the Court and Jury as follows:

I.

Discovery in this case is intended to be conducted under Level 2 of Rule 190, Texas Rules of Civil Procedure.

II.

Pursuant to Rule 194, each Defendant is requested to disclose, within fifty (50) days of service of this request, the information or material described in Rule 194.2 of the Texas Rules of Civil Procedure.

III.

Plaintiff is a resident citizen of San Antonio, Bexar County, Texas.

Defendant, Loren Timothy Beach, is a resident citizen of Chisago County, Minnesota, and may be served with Citation and notice of this lawsuit by serving him at **29630 Gateway Avenue, Chisago City, Minnesota 55013.**



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Defendant, Beach Transport, Inc., is a foreign corporation authorized to do business in the State of Texas, with its principal place of business at 29630 Gateway Avenue, Chisago City, Minnesota 55013, and may be served with Citation and notice of this lawsuit by serving its owner and chief executive officer, **Mr. Loren Timothy Beach at 29630 Gateway Avenue, Chisago City, Minnesota 55013.**

Venue for this cause of action is proper in Jefferson County, Texas as the crash that is the basis of this lawsuit happened in Jefferson County, Texas.

IV.

This lawsuit is brought in accordance with the laws of the State of Texas for the recovery of those damages to which Plaintiff is justly entitled to recover. In particular, the Plaintiff would show that she was a passenger in a vehicle that was struck on the driver's side by an 18 wheeler truck being operated by Defendant Loren Timothy Beach, and owned by Defendant Beach Transport, Inc., on or about 1/18/16, at or near the 3900 block of IH-10 service road westbound in Beaumont, Jefferson County, Texas. The collision caused serious and permanent injuries to Plaintiff Patricia Switzer. Said collision was brought about and was proximately caused by the negligence of Defendant, Loren Timothy Beach, in one or more of the following ways:

- 1 Failing to keep a proper lookout;
- 2 Failing to properly apply the brakes;
- 3 Failing to control the speed of the vehicle;
- 4 Failing to maintain proper control of the vehicle; and
- 5 Failing to remain in his own lane of travel.

Further, at all times material to the collision made the basis of this lawsuit, Defendant Loren Timothy Beach was in the course and scope of his employment with, and was furthering the

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business of, Defendant Beach Transport, Inc. Therefore, under the doctrine of Respondeat Superior, Defendant Beach Transport, Inc. is liable for the negligent acts of its employee, Defendant Loren Timothy Beach.

V.

Plaintiff brings her cause of action against Defendants, Loren Timothy Beach and Beach Transport, Inc., under the doctrine of Res Ipsa Loquiter. Plaintiff would show that:

- 1 The character of the incident made the basis of this suit is such that it would not ordinarily occur in the absence of negligence; and
- 2 The instrumentalities causing the injury were under the direct management and control of Defendant, Loren Timothy Beach.

It will be shown at the time of trial that the instrumentalities that caused injury to Plaintiff were under the direct management and control of Defendant, Loren Timothy Beach, on the date in question. Furthermore, the character of the incident is such that it would not have ordinarily occurred in the absence of Defendant Loren Timothy Beach's negligence.

VI.

As a direct result of Defendants Loren Timothy Beach's and Beach Transport, Inc.'s negligence, Plaintiff has suffered or will suffer the following categories of damages:

- 1 Physical pain and mental anguish in the past;
- 2 Physical pain and mental anguish in the future;
- 3 Disfigurement in the past;
- 4 Disfigurement in the future;
- 5 Loss of earning capacity in the past;
- 6 Loss of earning capacity in the future;

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- 7 Physical impairment in the past;
- 8 Physical impairment in the future;
- 9 Reasonable and necessary medical care in the past; and
- 10 Reasonable and necessary medical care in the future.

VII.

Although the amount to be awarded herein is a matter lying largely within the discretion of the Jury, Plaintiff would show that said amount is within the jurisdictional limits of this Honorable Court. Plaintiff seeks, at this time, only monetary relief over \$200,000.00 but not more than \$1,000,000.00.

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Patricia Switzer, prays that Defendants, Loren Timothy Beach and Beach Transport, Inc. be cited in terms of law to appear and answer herein; that upon final trial hereof, Plaintiff have judgment against said Defendants, jointly and severally, for the full amount of her damages with interest thereon, both pre-judgment and post-judgment, at the legal rate; for costs of court in this behalf expended and for such other and further relief, special and general, at law and in equity, to which she may show herself justly entitled.

Interrogatories, Requests for Production and Requests for Admissions to Defendant Loren Timothy Beach are attached and are to be served with Plaintiff's Original Petition.

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Respectfully submitted,

THE ESTEFAN FIRM, P.C.

By: /s/ Ron Estefan
Ronald M. Estefan
State Bar No. 00785851
2306 Mason Street
Houston, Texas 77006
(713) 333-1100 Telephone
(713) 333-1101 Facsimile
ron@ronestefanlaw.com

ATTORNEY FOR PLAINTIFF

Patricia P

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PLAINTIFF'S INTERROGATORIES TO DEFENDANT

TO: DEFENDANT, LOREN TIMOTHY BEACH, to be served with Plaintiff's Original
Petition at 29630 Gateway Avenue, Chisago City, Minnesota 55013.

Pursuant to Rule 197, T.R.C.P., Patricia Switzer, Plaintiff, propounds the attached Interrogatories to Defendant, Loren Timothy Beach, and requests that these Interrogatories be answered separately and fully in writing and under oath, and served upon the undersigned attorney within 50 days from the date of service thereof. Plaintiff also requests that the Defendant continue to supplement his responses to these Interrogatories as provided for by the Texas Rules of Civil Procedure.

Respectfully submitted,
THE ESTEFAN FIRM, P.C.

By: /s/ Ron Estefan
RONALD M. ESTEFAN
TBA# 00785851
2306 MASON STREET
HOUSTON, TEXAS 77006
TELEPHONE: (713) 333-1100
FACSIMILE: (713) 333-1101
ron@ronestefanlaw.com
ATTORNEY FOR PLAINTIFF



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INTERROGATORY NO. 1: Identify the owner, operator and occupants of the vehicle which was involved in the incident with the Plaintiff by stating their full name, residence address, resident telephone number, date of birth, driver's license number with State of issuance and social security number.

ANSWER:

INTERROGATORY NO. 2: Please state where you were coming from and where you were going at the time of the incident in question, giving in your answer the place where you last entered the vehicle, the place where you next intended to disembark from it, and the purpose of the trip.

ANSWER:

INTERROGATORY NO. 3: Identify all complaints, notifications, reports, and knowledge you had of any mechanical issues, problems, defects, aberrations, or similar conditions pertaining to the tractor-trailer at any time prior to and at the time of the incident of which you were aware, and if reported, by whom and to whom.

ANSWER:

INTERROGATORY NO. 4: Identify the location(s) of all driver logs, pre-operation / "walk around" inspection records, maintenance requests, and repair records for the vehicle involved in the incident in question.

ANSWER:

INTERROGATORY NO. 5: Was the vehicle involved in the incident equipped with any recording device if the vehicle was equipped with any type of recording device for recording speed, time, location, position and/or engine revolutions per minute? If the answer is "Yes," please identify the location(s) for any and all documents and materials containing or referring to information gathered by this equipment.

ANSWER:

INTERROGATORY NO. 6: Were you acting within the course and scope of any agency, employment or service at the time of the incident? If so, state the full and proper name, address and telephone number of the principal employer or master.

ANSWER:

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INTERROGATORY NO. 7: State whether or not any inspection, examination, test, or analysis of any portion of the motor vehicle involved in the incident made the basis of this lawsuit, or the scene of the accident in question, or any portion thereof, has been made at any time by any person. If so, please state the date of such examination, inspection, test or analysis, and the identity of the persons participating in such inspection, examination, test or analysis.

ANSWER:

INTERROGATORY NO. 8: Describe in your own words how the incident occurred, and state specifically and in detail what the claim or the contention of the Defendant will be regarding any cause or contributing cause of the incident, including a statement in detail of the facts or information upon which this contention is based.

ANSWER:

INTERROGATORY NO. 9: Please state in detail each and every step taken by you to prevent or to avoid the incident made the basis of this suit.

ANSWER:

INTERROGATORY NO. 10: The location of any and all original and any copies of your driver's log, if any, for the week immediately preceding, and the day of the collision made the basis of this cause of action.

ANSWER:

INTERROGATORY NO. 11: For any consulting expert whose mental impressions or opinions have been reviewed by a testifying expert, please state or provide all discovery authorized by Rule 193.3(d). A complete answer will include a list of all witness fees paid within the last five years.

ANSWER:

INTERROGATORY NO. 12: Identify all inspections, repairs, and maintenance made by you or any other entities or individuals in the 30 days prior to the incident made the basis of this cause of action, and include as part of your answer the name, address, telephone number, and work performed of each said inspection, repair, or maintenance performed.

ANSWER:

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INTERROGATORY NO. 13: Identify all contracts, agreements, partnerships, and other business relationships you had with any other parties or reasonably potential parties to this suit, and the nature of such relationship.

ANSWER:



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BEACH TRANSPORT, INC. §
JUDICIAL DISTRICT

PLAINTIFF'S REQUEST FOR PRODUCTION

TO: DEFENDANT, LOREN TIMOTHY BEACH, to be served with Plaintiff's Original
Petition at 29630 Gateway Avenue, Chisago City, Minnesota 55013.

Pursuant to Rule 196 of the Texas Rules of Civil Procedure, PATRICIA SWITZER, PLAINTIFF, requests that Defendant produce for inspection and copying at the office of the undersigned Attorney within fifty (50) days after service of this request the following documents and things as shown on the attached pages over which Defendant exercises either actual control or constructive possession.

Whenever the term “you” is used, it refers to Loren Timothy Beach. The term “date in question” refers to the date of the incident made the basis of this lawsuit that was on or about January 18, 2016. The term “incident in question” refers to the incident out of which this lawsuit arises and as identified by Plaintiff’s pleadings filed herein.

Respectfully submitted,

THE ESTEFAN FIRM, P.C.

By: /s/ Ron Estefan
 Ronald M. Estefan
 State Bar No. 00785851
 2306 Mason Street
 Houston, Texas 77006
 (713) 333-1100 Telephone
 (713) 333-1101 Facsimile
 ron@ronestefanlaw.com

ATTORNEY FOR PLAINTIFF



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PLAINTIFF'S REQUEST FOR PRODUCTION

REQUEST NO. 1: All written documents in Defendant's possession signed by Plaintiff or signed on behalf of Plaintiff.

REQUEST NO. 2: All statements, oral or written, previously made by Plaintiff concerning the subject matter of this lawsuit, including any written statements signed or otherwise adopted or approved by Plaintiff, and any stenographic, mechanical, electrical, or other type of recording, and any transcription thereof.

REQUEST NO. 3: All drawings, maps or sketches of the scene of the incident made the basis of this lawsuit.

REQUEST NO. 4: All investigative or other reports that were conducted by or on behalf of the Defendant in the ordinary course of Defendant's business, prior to the incident in question or subsequent to the incident in question and before the Defendant received formal notice, relating to the incident in question or the subject matter of this lawsuit (including Plaintiff's claims for damages).

- (1) Also, regarding the aforementioned investigation, please produce all correspondence, tests, reports, documents, drawings, photographs, movie or videotape films, models, computer generated, enhanced and/or actual items recovered from the scene of the incident in question, generated or obtained by or on behalf of the Defendant, which are relevant or contain information relevant to:
 - (a) the cause of the incident in question;
 - (b) the injuries allegedly sustained by the Plaintiff;
 - (c) the Defendant's affirmative defenses to the Plaintiff's cause of action.
- (2) All statements obtained by or on behalf of the Defendant;
- (3) All physical and/or tangible items and/or potentially usable evidence obtained by or on behalf of the Defendant from the scene of the incident in question.

REQUEST NO. 5: The investigation file of Defendant and Defendant's insurance carrier, including all documents prepared or containing statements of facts observed or opinions formed prior to the date that Defendant discovered that Plaintiff was asserting a claim for bodily injury damages against Defendant.

REQUEST NO. 6: Documents which establish the date on which Defendant and/or Defendant's insurance carrier learned that Plaintiff was asserting a claim for bodily injury damages against Defendant.

REQUEST NO. 7: All photographs, videotapes, films, slides, or negatives of any sort which

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have been taken of the Plaintiff, by or for the Defendant, or which are otherwise in the possession, custody, or control of the Defendant.

REQUEST NO. 8: All photographs, videotapes, films, slides, negatives, sketches, or maps of any sort which have been taken or made of the incident, scene, location, automobile or instrumentality involved in the incident, by or for the Defendant, or which are otherwise in the possession, custody, or control of the Defendant.

REQUEST NO. 9: All models, prototypes, displays, or other exhibits which may be used at the trial hereof, excluding enlargements of items already provided to or gotten from the Plaintiff.

REQUEST NO. 10: All correspondence between Plaintiff and Defendant which are in the possession of the Defendant.

REQUEST NO. 11: All documents not previously produced in response to the above request for production which Defendant will/may introduce at the time of trial in support of his/her defenses and/or for impeachment.

REQUEST NO. 12: A copy of Defendant's current driver's license issued by the State of Minnesota and any other state.

REQUEST NO. 13: A copy of Defendant's social security card.

REQUEST NO. 14: The vehicle license receipt for the vehicle operated by Defendant and any other documents which show the weight of such vehicle and the trailer at the time of the incident in question.

REQUEST NO. 15: Copies of any and all repair estimates and bills for the damages to the vehicle Defendant was driving at the time of the collision made the basis of this lawsuit.

REQUEST NO. 16: Any fixtures removed from Defendant's vehicle before or after the incident made the basis of this claim.

REQUEST NO. 17: All claim files on Defendant in the possession, custody and/or control of Defendant or his/her agents, servants, employees and insurance company.

REQUEST NO. 19: Copies of all income tax returns of Defendant for the calendar years 2014 through 2017, inclusive.

REQUEST NO. 20: All written records, reports, written documents, photographs and x-rays from health care providers who have provided services or supplies to Defendant for any injuries or pain resulting from the accident made the basis of this suit.

REQUEST NO. 21: A copy, if any, of the arrest complaint and final order of adjudication regarding any charges filed against Defendant as a result of, or arising out of the incident made the basis of this cause of action.

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REQUEST NO. 22: All documents reflecting the purpose, location, date of departure, and date of return to the State of Texas for any and all trips you have made outside of the state of Texas for any period of time since the date of the incident made the basis of this cause of action.

REQUEST NO. 23: A complete copy of any policy or insurance or indemnity agreement by which any other person or entity may be responsible to pay any of the damages claimed in this action, including any declaration page regarding the limits and conditions for such policy or agreement, and any "ICC," MCS-90, BMC-90 or similar endorsement(s) reflecting that no condition, provision, stipulation or limitation contained in the policy shall relieve the insurer from liability for paying any final judgment intended to be covered by the policy.

REQUEST NO. 24: All documents containing the names of all persons from whom statements have been taken, whether written or recorded, pertaining to their knowledge of relevant facts.

REQUEST NO. 25: All agreements and understandings made or entered into by Defendant with any other party or non-party pertaining to the incident in question and/or to this lawsuit.

REQUEST NO. 26: True and correct copies of any and all photographs and/or videos of the vehicles, Plaintiff, and/or the scene of the accident that makes the basis of this suit.

REQUEST NO. 27: Pursuant to Texas Rule of Evidence 609(f), copies of any documents which you intend to offer as evidence of a criminal conviction.

REQUEST NO. 28: Any accident reports, investigative notes, photographs, reconstructions, maps, diagrams and/or accident scene measurements prepared by any person or entity that refer or relate to the incident in question.

REQUEST NO. 29: Copies of any controlled substance testing and/or results of controlled substance testing that refer or related to you in the year immediately preceding, the day of, and the week immediately following the incident made the basis of this cause of action.

REQUEST NO. 30: Any and all maintenance logs, reports or records that refer or relate to the vehicle that was involved in the incident which forms the basis of this suit.

REQUEST NO. 31: Any and all driver logs, driver reports, driver schedules or similar documents that refer or relate to you.

REQUEST NO. 32: Copies of any time logs, payroll documents, or similar documents evidencing the amount of time worked by you during the one month period prior to the incident in question.

REQUEST NO. 33: For the seven day period prior to and including the day of the incident which forms the basis of this suit, copies of all manifests, inventories, delivery schedules, routing slips, dispatch entries or similar documents pertaining to the vehicle your employee was operating at the time of the incident.

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REQUEST NO. 34: Copies of any contracts, leases or similar agreements between any and all parties or potential parties to this suit which refer or relate to the vehicle you were operating at the time of the incident which forms the basis of this suit.

REQUEST NO. 35: Copies of any correspondence or communications between any and all parties or potential parties and yourself that refer or relate to this suit.

REQUEST NO. 36: Copies of any agreements, communications, or correspondence between any and all parties or potential parties and yourself which refer or relate to a "joint" or "consolidated" defense in this matter.

REQUEST NO. 37: All documents that would reflect the weight being transported by the front axle of the truck-tractor on the occasion in question.

REQUEST NO. 38: All documents reflecting or from which could be derived the weight being carried by the drive axles of the combination on the occasion in question.

REQUEST NO. 39: All documents reflecting or from which could be derived the weight of the trailer axle of the combination on the occasion in question.

REQUEST NO. 40: All documents reflecting or from which could be derived the total weight for the truck-tractor semi-trailer combination on the occasion in question.

REQUEST NO. 41: A copy of the weight-bill for the cargo being transported.

REQUEST NO. 42: All documents reflecting or from which could be derived the empty weight for the truck-tractor semi-trailer combination on the occasion in question.

REQUEST NO. 43: All documents reflecting or from which could be derived the empty and gross registered weight for the truck-tractor as registered with the State of Texas or the State of Minnesota at the time in question.

REQUEST NO. 44: All registration documents on the semi-trailer and truck-tractor.

REQUEST NO. 45: A complete copy of the driver's log book for at least 120 hours prior to the time of this incident.

REQUEST NO. 46: A copy of the record made by any recording device if the vehicle was equipped with any type of recording device for recording speed, time, location, position and/or engine revolutions per minute.

REQUEST NO. 47: All documentation, medical records, or other papers reflecting the physical examination of the driver as required by the Department of Transportation of any state in which said driver was qualified to drive at the time in question.

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REQUEST NO. 48: A copy of the loading papers, invoices or any other documents that would reflect the load being carried by the defendants' vehicle at the time and on the occasion in question.

REQUEST NO. 49: Copies of any road tests and/or results of road tests, or equivalent tests, given to Defendant.

REQUEST NO. 50: Copies of any controlled substance testing and/or results of controlled substance testing that refer or related to Defendant.

REQUEST NO. 51: Any and all maintenance logs, reports or records, that refer or relate to the vehicle that was involved in the incident which forms the basis of this suit.

REQUEST NO. 52: Any and all driver logs, driver reports, driver schedules or similar documents that refer or relate to Defendant.

REQUEST NO. 53: Copies of any time logs, payroll documents, or similar documents evidencing the amount of time worked by Defendant during the one month period prior to the incident in question.

REQUEST NO. 54: Copies of all documents that refer or relate to any training received by Defendant.

REQUEST NO. 55: Copies of all documents that refer or relate to Defendant's physical qualifications to operate a motor vehicle.

REQUEST NO. 56: Copies of all Motor Vehicle Reports (MVR's) and/or all other documents which relate to the driving record of Defendant.

REQUEST NO. 57: For the seven day period prior to and including the day of the incident which forms the basis of this suit, copies of all manifests, inventories, delivery schedules, routing slips, dispatch entries or similar documents pertaining to the vehicle you were operating at the time of the incident.

REQUEST NO. 58: Copies of any psychiatric/psychological evaluations, reports or investigations pertaining to Defendant.

REQUEST NO. 59: Copies of any medical records pertaining to Plaintiff.



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BEACH TRANSPORT, INC. §
JUDICIAL DISTRICT

PLAINTIFF'S REQUEST FOR ADMISSIONS

TO: DEFENDANT, LOREN TIMOTHY BEACH, to be served with Plaintiff's Original
Petition at 29630 Gateway Avenue, Chisago City, Minnesota 55013.

NOW COMES, PATRICIA SWITZER, Plaintiff in the above-styled and numbered cause, and in order to simplify the issues for the trial of this cause, makes the following Request for Admissions of fact under the provisions of Rule 198, Texas Rules of Civil Procedure, and demands that, within fifty (50) days after service of this request on the Defendant or his attorney, the Defendant specifically admit or deny the facts on the following pages. Defendant is hereby further advised that a failure to specifically answer any request or an evasive answer to any request will be taken as an admission of the truth of such request. For clarity, you are advised that the term “date in question” refers to January 18, 2016, as set forth in Plaintiff’s pleadings that are referred to herein for all purposes.

Respectfully submitted,

THE ESTEFAN FIRM, P.C.

By: /s/ Ron Estefan
 Ronald M. Estefan
 State Bar No. 00785851
 2306 Mason Street
 Houston, Texas 77006
 (713) 333-1100 Telephone
 (713) 333-1101 Facsimile
 ron@ronestefanlaw.com

ATTORNEY FOR PLAINTIFF



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INSTRUCTIONS

1. For the purposes of this Request for Admissions, the term "Defendant" refers to Loren Timothy Beach in the above-styled lawsuit.
2. The phrase "on the date alleged" refers to January 18, 2016.
3. The phrase "incident in question" refers to the collision that took place on the date alleged.
4. The term "injury" refers to the injury made the basis of Plaintiff's lawsuit.
5. The term "Plaintiff" refers to Patricia Switzer.

REQUESTS FOR ADMISSIONS

Please admit or deny the following:

1. Admit or deny that at the time of the collision in question, all applicable Federal Motor Carrier Safety Rules and Regulations applied to you.
2. Admit or deny that at the time of the collision in question, all applicable Federal Motor Carrier Safety Rules and Regulations did not apply to you.
3. Admit or deny that at the time of the collision in question, you complied with all applicable Federal Motor Carrier Safety Rules and Regulations.
4. Admit or deny that at the time of the collision Defendant Beach Transport, Inc. was your employer.
5. Admit or deny that you were operating the vehicle involved in the collision while in the course of your employment with Defendant Beach Transport, Inc.
6. Admit or deny that you were negligent in causing the collision made the basis of this action.
7. Admit or deny that any mechanical problems with the vehicle caused the collision in question.
8. Admit or deny that any mechanical problems with the vehicle did not cause the collision in question.
9. Admit or deny that any mechanical problems with the vehicle contributed to the collision

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in question.

10. Admit or deny that any mechanical problems with the vehicle did not contribute to the collision in question.

11. Admit or deny that Defendant Beach Transport, Inc. was the owner of the vehicle that you were driving at the time of the collision made the basis of this action.

12. Admit or deny that you were not an independent contractor at the time of the incident in question.

13. Admit or deny that you were an independent contractor at the time of the incident in question.

14. Admit or deny that you were intoxicated at the time of the collision made the basis of this action.

15. Admit or deny that you had ingested any amount of any alcoholic drink(s), drug(s) and/or medication(s) during the 48 hours immediately preceding the accident made the basis of this lawsuit.

16. Admit or deny that you had not ingested any amount of any alcoholic drink(s), drug(s) and/or medication(s) during the 48 hours immediately preceding the accident made the basis of this lawsuit.

17. Admit or deny that you caused injuries to Plaintiff as a result of the collision made the basis of this suit.

18. Admit or deny that you caused damages to Plaintiff as a result of the collision made the basis of this suit.

19. Admit or deny that Plaintiff was injured as a proximate cause of your negligence in causing the collision made the basis of this action.

20. Admit or deny that you failed to keep a proper lookout at the time of the incident made the basis of this cause of action.

21. Admit or deny that you failed to reasonably observe road conditions at the time of the incident.

22. Admit or deny that you failed to adequately observe road conditions at the time of the incident.

23. Admit or deny that you reasonably observed road conditions at the time of the incident.

24. Admit or deny that you adequately observed road conditions at the time of the incident.

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February 01, 2018

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Jamie Smith Page 3 of 5



25. Admit or deny that you failed to reasonably inspect the vehicle prior to operating it on the public roadway at the time of the incident.
26. Admit or deny that you reasonably inspected the vehicle prior to operating it on the public roadway at the time of the incident.
27. Admit or deny that you failed to reasonably maintain the vehicle prior to operating it on the public roadway at the time of the incident.
28. Admit or deny that you reasonably maintained the vehicle prior to operating it on the public roadway at the time of the incident.
29. Admit or deny that you failed to reasonably repair the vehicle prior to operating it on the public roadway at the time of the incident.
30. Admit or deny that you reasonably repaired the vehicle prior to operating it on the public roadway at the time of the incident.
31. Admit or deny that you were required to inspect the vehicle every time prior to operating it on the public roadway.
32. Admit or deny that you were not required to inspect the vehicle every time prior to operating it on the public roadway.
33. Admit or deny that you were required to maintain a record of every inspection of the vehicle prior to operating it on the public roadway.
34. Admit or deny that you were not required to maintain a record of every inspection of the vehicle prior to operating it on the public roadway.
35. Admit or deny that you maintained a record of every inspection of the vehicle prior to operating it on the public roadway.
36. Admit or deny that you did not maintain a record of every inspection of the vehicle prior to operating it on the public roadway.
37. Admit or deny that you have copies of any inspection records of the vehicle prior to the incident in question.
38. Admit or deny that you do not have copies of any inspection records of the vehicle prior to the incident in question.
39. Admit or deny that you have copies of any driver's logs of the vehicle prior or on the day of the incident in question.

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JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Jamie Smith Page 4 of 5



40. Admit or deny that you do not have copies of any driver's logs of the vehicle prior or on the day of the incident in question.
41. Admit or deny that you failed to keep a proper lookout.
42. Admit or deny that you moved out of your lane and into the lane to your right before the collision.
43. Admit or deny you hit the car in which Plaintiff was a passenger.
44. Admit or deny that there was damage done to the vehicle in which Plaintiff was a passenger.
45. Admit or deny that jurisdiction of this lawsuit is proper.
46. Admit or deny that your driver's license has been suspended in the last ten (10) years.
47. Admit or deny that you have been arrested for any offense other than minor traffic violations in the last ten (10) years.
48. Admit or deny that you have been involved in prior motor vehicle collisions within five (5) years of the date of the collision made the basis of this lawsuit.

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Jamie Smith Page 5 of 5





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CIVIL CASE INFORMATION SHEET

FILED
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JEFFERSON CO TEXAS
1/4/2018 2:31 PM
JAMIE SMITH
DISTRICT CLERK
A-201134

CAUSE NUMBER (FOR CLERK USE ONLY):

COURT (FOR CLERK USE ONLY):

STYLED PATRICIA SWITZER V. LOREN TIMOTHY BEACH AND BEACH TRANSPORT, INC.
(e.g., John Smith v. All American Insurance Co.; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

1. Contact information for person completing case information sheet:		Names of parties in case:	Person or entity completing sheet is:
Name: Ron Estefan	Email: ron@ronestefanlaw.com	Plaintiff(s)/Petitioner(s): Patricia Switzer	<input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other: _____
Address: 2306 Mason Street	Telephone: (713) 333-1100	Defendant(s)/Respondent(s): Loren Timothy Beach Beach Transport, Inc.	Additional Parties in Child Support Case: Custodial Parent: Non-Custodial Parent: Presumed Father:
City/State/Zip: Houston, Texas 77006	Fax: (713) 333-1101		
Signature: <i>Ron Estefan</i>	State Bar No: 00785851		
(Attach additional page as necessary to list all parties)			

2. Indicate case type, or identify the most important issue in the case (select only 1):				
Civil			Family Law	
Contract	Injury or Damage	Real Property	Marriage Relationship	Post-judgment Actions (non-Title IV-D)
<input checked="" type="checkbox"/> Debt/Contract <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: _____ <input type="checkbox"/> Foreclosure <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract: _____	<input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation <input type="checkbox"/> Malpractice <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: _____ <input checked="" type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises <input type="checkbox"/> Product Liability <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: _____ <input type="checkbox"/> Other Injury or Damage: _____	<input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: _____ <input type="checkbox"/> Related to Criminal Matters <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other: _____	<input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void <input type="checkbox"/> Divorce <input type="checkbox"/> With Children <input type="checkbox"/> No Children <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other: _____	<input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other <input type="checkbox"/> Title IV-D <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocals (UIFSA) <input type="checkbox"/> Support Order <input type="checkbox"/> Parent-Child Relationship <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Paternity/Parentage <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child: _____
Employment	Other Civil			
<input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment: _____	<input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other: _____			
Tax	Probate & Mental Health			
<input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax: _____	<input type="checkbox"/> Probate/Wills/Intestate Administration <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings		<input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other: _____	

3. Indicate procedure or remedy, if applicable (may select more than 1):		
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Other: _____	<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment: _____	<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover

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Damages sought (do not select if it is a family law case):

February 01, 2018

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Jamie Smith
Page 1 of 2



- ☐ Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees
- ☐ Less than \$100,000 and non-monetary relief
- ☐ Over \$100,000 but not more than \$200,000
- ☒ Over \$200,000 but not more than \$1,000,000
- ☐ Over \$1,000,000

Rev 2/13

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JEFFERSON COUNTY DISTRICT CLERK
1085 PEARL STREET, ROOM 203, BEAUMONT, TX 77701

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DISTRICT CLERK OF
JEFFERSON CO TEXAS
1/4/2018 2:31 PM
JAMIE SMITH
DISTRICT CLERK
201134

REQUEST FOR PROCESS

All sections must be completed for processing this request.

Section 1:

Cause No. _____

Date _____

Style:

Patricia Switzer

VS

Loren Timothy Beach and Beach Transport, Inc.

Section 2:

Check Process Type:

- ☒ Citation ☐ Precept to Serve / Notice of Hearing/Notice to Show Cause
☐ Temporary Restraining Order
☐ Application for Protective Order / Temporary (Ex Parte) Protective Order
☐ Notice of Registration of Foreign Judgment ☐ Citation by Posting
☐ Writ of _____ ☐ Other _____
☐ Citation by Publication*- Newspaper: _____

☒ Check box if you would like the District Clerk's Office to make copies for your service. (\$1.00 per page per pleading for copies for service)

Section 3:

Title of Document/Pleading to be attached for service: Plaintiff's Original Petition with Plaintiff's

Interrogatories, Requests for Production and Requests for Admissions

Note: You must furnish one copy of the document/pleading for each party served.

Section 4: PARTIES TO BE SERVED (Please type or print):

1.Name: Loren Timothy Beach

Address: 29630 Gateway Avenue

City: Chisago City

State: Minnesota

Zip: 55013

2.Name: Beach Transport, Inc.

Address: 29630 Gateway Avenue

City: Chisago City

State: Minnesota

Zip: 55013

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JEFFERSON COUNTY, TEXAS

Jamie Smith

Page 1 of 2



3. Name: _____

Address: _____

City: _____ State: _____ Zip: _____

4. Name: _____

Address: _____

City: _____ State: _____ Zip: _____

5. Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Section 5

Check Service Type:

- | | |
|--|---|
| <input type="checkbox"/> No Service | <input type="checkbox"/> Secretary of State |
| <input type="checkbox"/> Sheriff | <input type="checkbox"/> Commissioner of Insurance |
| <input type="checkbox"/> Constable Pct. | <input type="checkbox"/> Out of County |
| <input type="checkbox"/> Out of State | <input type="checkbox"/> Private Process <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Certified Mail | |

Section 6 (ONLY if Section 7 does not apply)

Attorney Name: Ron Estefan**Address:** 2306 Mason StreetHouston

City

Street/P.O. Box

Texas

State

77006

Zip

Attorney's Telephone No. (713) 333-1100Attorney's Bar No. 00785851

Section 7 (ONLY if Section 6 does not apply)

Pro-Se Name: _____

Address: _____

City

State

Zip

Telephone No. _____

Section 8

Check Delivery Type:

- ☐
- Hold for pick up
- ☐
- Mail to Attorney

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JEFFERSON COUNTY, TEXAS*Jamie Smith* Page 2 of 2



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JEFFERSON COUNTY, TEXAS

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Citation by Mailing

THE STATE OF TEXAS

No. A-0201134

PATRICIA SWITZER
VS. LOREN TIMOTHY BEACH ET AL

CITATION BY MAILING

**58 th JUDICIAL DISTRICT COURT
of JEFFERSON COUNTY, TEXAS**

To: **BEACH TRANSPORT INC**
BY SERVING ITS REGISTERED AGENT LOREN TIMOTHY BEACH

by serving at:
29630 GATEWAY AVENUE
CHISAGO CITY, MN 55013 0000

DEFENDANT:

NOTICE:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Said answer may be filed by mailing same to: District Clerk's Office, 1085 Pearl, Room 203, Beaumont, TX 77701, (or if the case is designated as an E-file case, E-file through Lexis Nexis file and serve) or by bringing it to the office. The case is presently pending before the 58 th District Court of Jefferson County sitting in Beaumont, Texas, and was filed on the 4th day of January, 2018. It bears cause number A-0201134 and is styled:

Plaintiff:

PATRICIA SWITZER
VS.
LOREN TIMOTHY BEACH ET AL

Defendant:

The name and address of the attorney for plaintiff (or plaintiff, if pro se) is:

ESTEFAN, RONALD M, Atty.
411 FANNIN SUITE 200
HOUSTON, TX 77002 0

The nature of the demands of said plaintiff is shown by a true and correct copy of Plaintiff's PETITION (PLAINTIFF'S ORIGINAL) **ALSO ATTACHED LETTER DESIGNATING ALL CASES EFILE** accompanying this citation and made a part thereof.

Issued under my hand and the seal of said court, at Beaumont, Texas, this the 5th day of January, 2018.

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

BY

Deputy

Valencia

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Witness my Hand and Seal of Office

February 01, 2018

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Jamie Smith Page 1 of 2



RETURN OF SERVICE

A-0201134 58 th JUDICIAL DISTRICT COURT

PATRICIA SWITZER

LOREN TIMOTHY BEACH ET AL

Executed when copy was delivered:

This is a true copy of the original citation, was delivered to defendant _____, on the ____ day of _____, 20____.

_____, Officer

_____, County, Texas

By: _____, Deputy

ADDRESS FOR SERVICE:

BEACH TRANSPORT INC

BY SERVING ITS REGISTERED AGENT LOREN TIMOTHY BEACH

29630 GATEWAY AVENUE

CHISAGO CITY, MN 55013 0000

OFFICER'S RETURN

Came to hand on the ____ day of _____, 20____, at _____, o'clock ____m., and executed in _____, County, Texas by delivering to each of the within named defendants in person, a true copy of this Citation with the date of delivery endorsed thereon, together with the accompanying copy of the Citation by Mailing at the following times and places, to-wit:

Name	Date/Time	Place, Course and Distance from Courthouse
_____	_____	_____

And not executed as to the defendant(s), _____

The diligence used in finding said defendant(s) being:

_____ and the cause or failure to execute this process is:

_____ and the information received as to the whereabouts of said defendant(s) being:

FEES:

Serving Petition and Copy \$ _____

Total \$ _____

_____, Officer

_____, County, Texas

By: _____, Deputy

Affiant

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer of authorized person who serves, or attempts to serve, a citation shall sign and return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return shall be signed under penalty of perjury and contain the following statement:

"My name is _____, my date of birth is _____, and my address is _____
(First, Middle, Last)

(Street, City, Zip)

I DECLARE UNDER PENALTY OF PERJURY THAT THE FORGOING IS TRUE AND CORRECT.

Executed in _____, County, State of _____, on the ____ day of _____.

Declarant/Authorized Process Server

(Id # expiration of certification)

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February 01, 2018

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Jamie Smith
Page 2 of 2





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Citation by Mailing

THE STATE OF TEXAS

No. A-0201134

PATRICIA SWITZER
VS. LOREN TIMOTHY BEACH ET AL

CITATION BY MAILING

**58 th JUDICIAL DISTRICT COURT
of JEFFERSON COUNTY, TEXAS**

To: **BEACH, LOREN TIMOTHY**

by serving at:
**29630 GATEWAY AVENUE
CHISAGO CITY, MN 55013 0000**

DEFENDANT:

NOTICE:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Said answer may be filed by mailing same to: District Clerk's Office, 1085 Pearl, Room 203, Beaumont, TX 77701, (or if the case is designated as an E-file case, E-file through Lexis Nexis file and serve) or by bringing it to the office. The case is presently pending before the 58 th District Court of Jefferson County sitting in Beaumont, Texas, and was filed on the 4th day of January, 2018. It bears cause number A-0201134 and is styled:

Plaintiff:

PATRICIA SWITZER
VS.
LOREN TIMOTHY BEACH ET AL

Defendant:

The name and address of the attorney for plaintiff (or plaintiff, if pro se) is:

**ESTEFAN, RONALD M, Atty.
411 FANNIN SUITE 200
HOUSTON, TX 77002 0**

The nature of the demands of said plaintiff is shown by a true and correct copy of Plaintiff's PETITION (PLAINTIFF'S ORIGINAL) **INTERROGATORIES, REQUEST FOR PRODUCTION, ADMISSIONS ALSO ATTACHED LETTER DESIGNATING ALL CASES EFILE** accompanying this citation and made a part thereof.

Issued under my hand and the seal of said court, at Beaumont, Texas, this the 5th day of January, 2018.

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

BY

Deputy

Valencia

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February 01, 2018

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Jamie Smith
Page 1 of 2



RETURN OF SERVICE

A-0201134 58 th JUDICIAL DISTRICT COURT

PATRICIA SWITZER

LOREN TIMOTHY BEACH ET AL

Executed when copy was delivered:

This is a true copy of the original citation, was delivered to defendant _____, on the ____ day of _____, 20____.

_____, Officer

_____, County, Texas

By: _____, Deputy

ADDRESS FOR SERVICE:

BEACH, LOREN TIMOTHY

29630 GATEWAY AVENUE

CHISAGO CITY, MN 55013 0000

OFFICER'S RETURN

Came to hand on the ____ day of _____, 20____, at _____, o'clock ____m., and executed in _____, County, Texas by delivering to each of the within named defendants in person, a true copy of this Citation with the date of delivery endorsed thereon, together with the accompanying copy of the Citation by Mailing at the following times and places, to-wit:

Name	Date/Time	Place, Course and Distance from Courthouse
_____	_____	_____

And not executed as to the defendant(s), _____

The diligence used in finding said defendant(s) being: _____

and the cause or failure to execute this process is: _____

and the information received as to the whereabouts of said defendant(s) being: _____

FEES:

Serving Petition and Copy \$ _____

Total \$ _____

_____, Officer

_____, County, Texas

By: _____, Deputy

Affiant

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign and return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return shall be signed under penalty of perjury and contain the following statement:

"My name is _____, my date of birth is _____, and my address is _____
(First, Middle, Last)

(Street, City, Zip)

I DECLARE UNDER PENALTY OF PERJURY THAT THE FORGOING IS TRUE AND CORRECT.

Executed in _____, County, State of _____, on the ____ day of _____.

Declarant/Authorized Process Server

(Id # expiration of certification)

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February 01, 2018

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JEFFERSON COUNTY, TEXAS

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Page 2 of 2





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A-201134

CAUSE NO. A-201134

PATRICIA SWITZER	§	IN THE DISTRICT COURT
	§	
V.	§	OF JEFFERSON COUNTY, TEXAS
	§	
LOREN TIMOTHY BEACH and	§	
BEACH TRANSPORT, INC.	§	58 th JUDICIAL DISTRICT

PLAINTIFF'S FIRST AMENDED ORIGINAL PETITION

TO THE HONORABLE JUDGE AND JURY OF SAID COURT:

NOW COMES, PATRICIA SWITZER (hereinafter called "Plaintiff"), and files this, her Plaintiff's First Amended Original Petition complaining of Loren Timothy Beach and Beach Transport, Inc. (hereinafter called "Defendants"), and for cause of action would respectfully show the Court and Jury as follows:

I.

Discovery in this case is intended to be conducted under Level 2 of Rule 190, Texas Rules of Civil Procedure.

II.

Pursuant to Rule 194, each Defendant is requested to disclose, within fifty (50) days of service of this request, the information or material described in Rule 194.2 of the Texas Rules of Civil Procedure.

III.

Plaintiff is a resident citizen of San Antonio, Bexar County, Texas.

Defendant, Loren Timothy Beach, is a resident citizen of North Branch, Minnesota, and may be served with Citation and notice of this lawsuit by serving him at **4731 400th Street, North Branch, Minnesota 55056-5218.**

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JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

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Page 1 of 5



Defendant, Beach Transport, Inc., is a foreign corporation authorized to do business in the State of Texas, with its principal place of business at 4731 400th Street, North Branch, Minnesota 55056-5218, and may be served with Citation and notice of this lawsuit by serving its owner and chief executive officer, **Mr. Loren Timothy Beach at 4731 400th Street, North Branch, Minnesota 55056-5218.**

Venue for this cause of action is proper in Jefferson County, Texas as the crash that is the basis of this lawsuit happened in Jefferson County, Texas.

IV.

This lawsuit is brought in accordance with the laws of the State of Texas for the recovery of those damages to which Plaintiff is justly entitled to recover. In particular, the Plaintiff would show that she was a passenger in a vehicle that was struck on the driver's side by an 18 wheeler truck being operated by Defendant Loren Timothy Beach, and owned by Defendant Beach Transport, Inc., on or about 1/18/16, at or near the 3900 block of IH-10 service road westbound in Beaumont, Jefferson County, Texas. The collision caused serious and permanent injuries to Plaintiff Patricia Switzer. Said collision was brought about and was proximately caused by the negligence of Defendant, Loren Timothy Beach, in one or more of the following ways:

- 1 Failing to keep a proper lookout;
- 2 Failing to properly apply the brakes;
- 3 Failing to control the speed of the vehicle;
- 4 Failing to maintain proper control of the vehicle; and
- 5 Failing to remain in his own lane of travel.

Further, at all times material to the collision made the basis of this lawsuit, Defendant Loren Timothy Beach was in the course and scope of his employment with, and was furthering the

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February 01, 2018

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Jamie Smith Page 2 of 5



business of, Defendant Beach Transport, Inc. Therefore, under the doctrine of Respondeat Superior, Defendant Beach Transport, Inc. is liable for the negligent acts of its employee, Defendant Loren Timothy Beach.

V.

Plaintiff brings her cause of action against Defendants, Loren Timothy Beach and Beach Transport, Inc., under the doctrine of Res Ipsa Loquiter. Plaintiff would show that:

- 1 The character of the incident made the basis of this suit is such that it would not ordinarily occur in the absence of negligence; and
- 2 The instrumentalities causing the injury were under the direct management and control of Defendant, Loren Timothy Beach.

It will be shown at the time of trial that the instrumentalities that caused injury to Plaintiff were under the direct management and control of Defendant, Loren Timothy Beach, on the date in question. Furthermore, the character of the incident is such that it would not have ordinarily occurred in the absence of Defendant Loren Timothy Beach's negligence.

VI.

As a direct result of Defendants Loren Timothy Beach's and Beach Transport, Inc.'s negligence, Plaintiff has suffered or will suffer the following categories of damages:

- 1 Physical pain and mental anguish in the past;
- 2 Physical pain and mental anguish in the future;
- 3 Disfigurement in the past;
- 4 Disfigurement in the future;
- 5 Loss of earning capacity in the past;
- 6 Loss of earning capacity in the future;

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February 01, 2018

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Jamie Smith Page 3 of 5



- 7 Physical impairment in the past;
- 8 Physical impairment in the future;
- 9 Reasonable and necessary medical care in the past; and
- 10 Reasonable and necessary medical care in the future.

VII.

Although the amount to be awarded herein is a matter lying largely within the discretion of the Jury, Plaintiff would show that said amount is within the jurisdictional limits of this Honorable Court. Plaintiff seeks, at this time, only monetary relief over \$200,000.00 but not more than \$1,000,000.00.

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Patricia Switzer, prays that Defendants, Loren Timothy Beach and Beach Transport, Inc. be cited in terms of law to appear and answer herein; that upon final trial hereof, Plaintiff have judgment against said Defendants, jointly and severally, for the full amount of her damages with interest thereon, both pre-judgment and post-judgment, at the legal rate; for costs of court in this behalf expended and for such other and further relief, special and general, at law and in equity, to which she may show herself justly entitled.

Interrogatories, Requests for Production and Requests for Admissions to Defendant Loren Timothy Beach are attached and are to be served with Plaintiff's Original Petition.

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February 01, 2018

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Jamie Smith
Page 4 of 5



Respectfully submitted,

THE ESTEFAN FIRM, P.C.

By: /s/ Ron Estefan
Ronald M. Estefan
State Bar No. 00785851
2306 Mason Street
Houston, Texas 77006
(713) 333-1100 Telephone
(713) 333-1101 Facsimile
ron@ronestefanlaw.com

ATTORNEY FOR PLAINTIFF

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A-201134

REQUEST FOR PROCESS

All sections must be completed for processing this request.

Section 1:

Cause No. A-201134

Date 1/10/18

Style:

Patricia Switzer

VS

Loren Timothy Beach and Beach Transport, Inc.

Section 2:

Check Process Type:

☒ Citation ☐ Precept to Serve / Notice of Hearing/Notice to Show Cause

☐ Temporary Restraining Order

☐ Application for Protective Order / Temporary (Ex Parte) Protective Order

☐ Notice of Registration of Foreign Judgment ☐ Citation by Posting

☐ Writ of _____ ☐ Other _____

☐ Citation by Publication*- Newspaper: _____

☒ Check box if you would like the District Clerk's Office to make copies for your service. (\$1.00 per page per pleading for copies for service)

Section 3:

Title of Document/Pleading to be attached for service: Plaintiff's Original Petition with Plaintiff's

Interrogatories, Requests for Production and Requests for Admissions

Note: You must furnish one copy of the document/pleading for each party served.

Section 4: PARTIES TO BE SERVED (Please type or print):

1.Name: Loren Timothy Beach

Address: 4731 400th Street

City: North Branch

State: Minnesota

Zip: 55056-5218

2.Name: Beach Transport, Inc.

Address: 4731 400th Street

City: North Branch

State: Minnesota

Zip: 55056-5218

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Page 1 of 2



3. Name: _____

Address: _____

City: _____ State: _____ Zip: _____

4. Name: _____

Address: _____

City: _____ State: _____ Zip: _____

5. Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Section 5

Check Service Type:

- | | |
|--|---|
| <input type="checkbox"/> No Service | <input type="checkbox"/> Secretary of State |
| <input type="checkbox"/> Sheriff | <input type="checkbox"/> Commissioner of Insurance |
| <input type="checkbox"/> Constable Pct. | <input type="checkbox"/> Out of County |
| <input type="checkbox"/> Out of State | <input type="checkbox"/> Private Process <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Certified Mail | |

Section 6 (ONLY if Section 7 does not apply)

Attorney Name: Ron Estefan**Address:** 2306 Mason StreetHouston

City

Street/P.O. Box

Texas

State

77006

Zip

Attorney's Telephone No. (713) 333-1100 Attorney's Bar No. 00785851

Section 7 (ONLY if Section 6 does not apply)

Pro-Se Name: _____

Address: _____

City

State

Zip

Telephone No. _____

Section 8

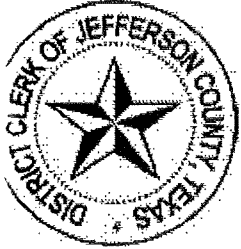
Check Delivery Type:

- ☐
- Hold for pick up
- ☐
- Mail to Attorney

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JEFFERSON COUNTY, TEXAS*Jamie Smith* Page 2 of 2



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A-201134**

CAUSE NO.

PATRICIA SWITZER § IN THE DISTRICT COURT
V. §
LOREN TIMOTHY BEACH and § OF JEFFERSON COUNTY, TEXAS
BEACH TRANSPORT, INC. §
JUDICIAL DISTRICT

PLAINTIFF'S INTERROGATORIES TO DEFENDANT

TO: DEFENDANT, LOREN TIMOTHY BEACH, to be served with Plaintiff's Original
Petition at 29630 Gateway Avenue, Chisago City, Minnesota 55013.

Pursuant to Rule 197, T.R.C.P., Patricia Switzer, Plaintiff, propounds the attached Interrogatories to Defendant, Loren Timothy Beach, and requests that these Interrogatories be answered separately and fully in writing and under oath, and served upon the undersigned attorney within 50 days from the date of service thereof. Plaintiff also requests that the Defendant continue to supplement his responses to these Interrogatories as provided for by the Texas Rules of Civil Procedure.

Respectfully submitted,
THE ESTEFAN FIRM, P.C.

By: /s/ Ron Estefan
RONALD M. ESTEFAN
TBA# 00785851
2306 MASON STREET
HOUSTON, TEXAS 77006
TELEPHONE: (713) 333-1100
FACSIMILE: (713) 333-1101
ron@ronestefanlaw.com
ATTORNEY FOR PLAINTIFF



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INTERROGATORY NO. 1: Identify the owner, operator and occupants of the vehicle which was involved in the incident with the Plaintiff by stating their full name, residence address, resident telephone number, date of birth, driver's license number with State of issuance and social security number.

ANSWER:

INTERROGATORY NO. 2: Please state where you were coming from and where you were going at the time of the incident in question, giving in your answer the place where you last entered the vehicle, the place where you next intended to disembark from it, and the purpose of the trip.

ANSWER:

INTERROGATORY NO. 3: Identify all complaints, notifications, reports, and knowledge you had of any mechanical issues, problems, defects, aberrations, or similar conditions pertaining to the tractor-trailer at any time prior to and at the time of the incident of which you were aware, and if reported, by whom and to whom.

ANSWER:

INTERROGATORY NO. 4: Identify the location(s) of all driver logs, pre-operation / "walk around" inspection records, maintenance requests, and repair records for the vehicle involved in the incident in question.

ANSWER:

INTERROGATORY NO. 5: Was the vehicle involved in the incident equipped with any recording device if the vehicle was equipped with any type of recording device for recording speed, time, location, position and/or engine revolutions per minute? If the answer is "Yes," please identify the location(s) for any and all documents and materials containing or referring to information gathered by this equipment.

ANSWER:

INTERROGATORY NO. 6: Were you acting within the course and scope of any agency, employment or service at the time of the incident? If so, state the full and proper name, address and telephone number of the principal employer or master.

ANSWER:

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Page 2 of 4



INTERROGATORY NO. 7: State whether or not any inspection, examination, test, or analysis of any portion of the motor vehicle involved in the incident made the basis of this lawsuit, or the scene of the accident in question, or any portion thereof, has been made at any time by any person. If so, please state the date of such examination, inspection, test or analysis, and the identity of the persons participating in such inspection, examination, test or analysis.

ANSWER:

INTERROGATORY NO. 8: Describe in your own words how the incident occurred, and state specifically and in detail what the claim or the contention of the Defendant will be regarding any cause or contributing cause of the incident, including a statement in detail of the facts or information upon which this contention is based.

ANSWER:

INTERROGATORY NO. 9: Please state in detail each and every step taken by you to prevent or to avoid the incident made the basis of this suit.

ANSWER:

INTERROGATORY NO. 10: The location of any and all original and any copies of your driver's log, if any, for the week immediately preceding, and the day of the collision made the basis of this cause of action.

ANSWER:

INTERROGATORY NO. 11: For any consulting expert whose mental impressions or opinions have been reviewed by a testifying expert, please state or provide all discovery authorized by Rule 193.3(d). A complete answer will include a list of all witness fees paid within the last five years.

ANSWER:

INTERROGATORY NO. 12: Identify all inspections, repairs, and maintenance made by you or any other entities or individuals in the 30 days prior to the incident made the basis of this cause of action, and include as part of your answer the name, address, telephone number, and work performed of each said inspection, repair, or maintenance performed.

ANSWER:



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INTERROGATORY NO. 13: Identify all contracts, agreements, partnerships, and other business relationships you had with any other parties or reasonably potential parties to this suit, and the nature of such relationship.

ANSWER:



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BEACH TRANSPORT, INC. §
JUDICIAL DISTRICT



Page 1 of 6

PLAINTIFF'S REQUEST FOR PRODUCTION

REQUEST NO. 1: All written documents in Defendant's possession signed by Plaintiff or signed on behalf of Plaintiff.

REQUEST NO. 2: All statements, oral or written, previously made by Plaintiff concerning the subject matter of this lawsuit, including any written statements signed or otherwise adopted or approved by Plaintiff, and any stenographic, mechanical, electrical, or other type of recording, and any transcription thereof.

REQUEST NO. 3: All drawings, maps or sketches of the scene of the incident made the basis of this lawsuit.

REQUEST NO. 4: All investigative or other reports that were conducted by or on behalf of the Defendant in the ordinary course of Defendant's business, prior to the incident in question or subsequent to the incident in question and before the Defendant received formal notice, relating to the incident in question or the subject matter of this lawsuit (including Plaintiff's claims for damages).

- (1) Also, regarding the aforementioned investigation, please produce all correspondence, tests, reports, documents, drawings, photographs, movie or videotape films, models, computer generated, enhanced and/or actual items recovered from the scene of the incident in question, generated or obtained by or on behalf of the Defendant, which are relevant or contain information relevant to:
 - (a) the cause of the incident in question;
 - (b) the injuries allegedly sustained by the Plaintiff;
 - (c) the Defendant's affirmative defenses to the Plaintiff's cause of action.
- (2) All statements obtained by or on behalf of the Defendant;
- (3) All physical and/or tangible items and/or potentially usable evidence obtained by or on behalf of the Defendant from the scene of the incident in question.

REQUEST NO. 5: The investigation file of Defendant and Defendant's insurance carrier, including all documents prepared or containing statements of facts observed or opinions formed prior to the date that Defendant discovered that Plaintiff was asserting a claim for bodily injury damages against Defendant.

REQUEST NO. 6: Documents which establish the date on which Defendant and/or Defendant's insurance carrier learned that Plaintiff was asserting a claim for bodily injury damages against Defendant.

REQUEST NO. 7: All photographs, videotapes, films, slides, or negatives of any sort which

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February 01, 2018

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

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have been taken of the Plaintiff, by or for the Defendant, or which are otherwise in the possession, custody, or control of the Defendant.

REQUEST NO. 8: All photographs, videotapes, films, slides, negatives, sketches, or maps of any sort which have been taken or made of the incident, scene, location, automobile or instrumentality involved in the incident, by or for the Defendant, or which are otherwise in the possession, custody, or control of the Defendant.

REQUEST NO. 9: All models, prototypes, displays, or other exhibits which may be used at the trial hereof, excluding enlargements of items already provided to or gotten from the Plaintiff.

REQUEST NO. 10: All correspondence between Plaintiff and Defendant which are in the possession of the Defendant.

REQUEST NO. 11: All documents not previously produced in response to the above request for production which Defendant will/may introduce at the time of trial in support of his/her defenses and/or for impeachment.

REQUEST NO. 12: A copy of Defendant's current driver's license issued by the State of Minnesota and any other state.

REQUEST NO. 13: A copy of Defendant's social security card.

REQUEST NO. 14: The vehicle license receipt for the vehicle operated by Defendant and any other documents which show the weight of such vehicle and the trailer at the time of the incident in question.

REQUEST NO. 15: Copies of any and all repair estimates and bills for the damages to the vehicle Defendant was driving at the time of the collision made the basis of this lawsuit.

REQUEST NO. 16: Any fixtures removed from Defendant's vehicle before or after the incident made the basis of this claim.

REQUEST NO. 17: All claim files on Defendant in the possession, custody and/or control of Defendant or his/her agents, servants, employees and insurance company.

REQUEST NO. 19: Copies of all income tax returns of Defendant for the calendar years 2014 through 2017, inclusive.

REQUEST NO. 20: All written records, reports, written documents, photographs and x-rays from health care providers who have provided services or supplies to Defendant for any injuries or pain resulting from the accident made the basis of this suit.

REQUEST NO. 21: A copy, if any, of the arrest complaint and final order of adjudication regarding any charges filed against Defendant as a result of, or arising out of the incident made the basis of this cause of action.

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Jamie Smith
Page 3 of 6



REQUEST NO. 22: All documents reflecting the purpose, location, date of departure, and date of return to the State of Texas for any and all trips you have made outside of the state of Texas for any period of time since the date of the incident made the basis of this cause of action.

REQUEST NO. 23: A complete copy of any policy or insurance or indemnity agreement by which any other person or entity may be responsible to pay any of the damages claimed in this action, including any declaration page regarding the limits and conditions for such policy or agreement, and any "ICC," MCS-90, BMC-90 or similar endorsement(s) reflecting that no condition, provision, stipulation or limitation contained in the policy shall relieve the insurer from liability for paying any final judgment intended to be covered by the policy.

REQUEST NO. 24: All documents containing the names of all persons from whom statements have been taken, whether written or recorded, pertaining to their knowledge of relevant facts.

REQUEST NO. 25: All agreements and understandings made or entered into by Defendant with any other party or non-party pertaining to the incident in question and/or to this lawsuit.

REQUEST NO. 26: True and correct copies of any and all photographs and/or videos of the vehicles, Plaintiff, and/or the scene of the accident that makes the basis of this suit.

REQUEST NO. 27: Pursuant to Texas Rule of Evidence 609(f), copies of any documents which you intend to offer as evidence of a criminal conviction.

REQUEST NO. 28: Any accident reports, investigative notes, photographs, reconstructions, maps, diagrams and/or accident scene measurements prepared by any person or entity that refer or relate to the incident in question.

REQUEST NO. 29: Copies of any controlled substance testing and/or results of controlled substance testing that refer or related to you in the year immediately preceding, the day of, and the week immediately following the incident made the basis of this cause of action.

REQUEST NO. 30: Any and all maintenance logs, reports or records that refer or relate to the vehicle that was involved in the incident which forms the basis of this suit.

REQUEST NO. 31: Any and all driver logs, driver reports, driver schedules or similar documents that refer or relate to you.

REQUEST NO. 32: Copies of any time logs, payroll documents, or similar documents evidencing the amount of time worked by you during the one month period prior to the incident in question.

REQUEST NO. 33: For the seven day period prior to and including the day of the incident which forms the basis of this suit, copies of all manifests, inventories, delivery schedules, routing slips, dispatch entries or similar documents pertaining to the vehicle your employee was operating at the time of the incident.

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JEFFERSON COUNTY, TEXAS

Jamie Smith Page 4 of 6



REQUEST NO. 34: Copies of any contracts, leases or similar agreements between any and all parties or potential parties to this suit which refer or relate to the vehicle you were operating at the time of the incident which forms the basis of this suit.

REQUEST NO. 35: Copies of any correspondence or communications between any and all parties or potential parties and yourself that refer or relate to this suit.

REQUEST NO. 36: Copies of any agreements, communications, or correspondence between any and all parties or potential parties and yourself which refer or relate to a "joint" or "consolidated" defense in this matter.

REQUEST NO. 37: All documents that would reflect the weight being transported by the front axle of the truck-tractor on the occasion in question.

REQUEST NO. 38: All documents reflecting or from which could be derived the weight being carried by the drive axles of the combination on the occasion in question.

REQUEST NO. 39: All documents reflecting or from which could be derived the weight of the trailer axle of the combination on the occasion in question.

REQUEST NO. 40: All documents reflecting or from which could be derived the total weight for the truck-tractor semi-trailer combination on the occasion in question.

REQUEST NO. 41: A copy of the weight-bill for the cargo being transported.

REQUEST NO. 42: All documents reflecting or from which could be derived the empty weight for the truck-tractor semi-trailer combination on the occasion in question.

REQUEST NO. 43: All documents reflecting or from which could be derived the empty and gross registered weight for the truck-tractor as registered with the State of Texas or the State of Minnesota at the time in question.

REQUEST NO. 44: All registration documents on the semi-trailer and truck-tractor.

REQUEST NO. 45: A complete copy of the driver's log book for at least 120 hours prior to the time of this incident.

REQUEST NO. 46: A copy of the record made by any recording device if the vehicle was equipped with any type of recording device for recording speed, time, location, position and/or engine revolutions per minute.

REQUEST NO. 47: All documentation, medical records, or other papers reflecting the physical examination of the driver as required by the Department of Transportation of any state in which said driver was qualified to drive at the time in question.

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REQUEST NO. 48: A copy of the loading papers, invoices or any other documents that would reflect the load being carried by the defendants' vehicle at the time and on the occasion in question.

REQUEST NO. 49: Copies of any road tests and/or results of road tests, or equivalent tests, given to Defendant.

REQUEST NO. 50: Copies of any controlled substance testing and/or results of controlled substance testing that refer or related to Defendant.

REQUEST NO. 51: Any and all maintenance logs, reports or records, that refer or relate to the vehicle that was involved in the incident which forms the basis of this suit.

REQUEST NO. 52: Any and all driver logs, driver reports, driver schedules or similar documents that refer or relate to Defendant.

REQUEST NO. 53: Copies of any time logs, payroll documents, or similar documents evidencing the amount of time worked by Defendant during the one month period prior to the incident in question.

REQUEST NO. 54: Copies of all documents that refer or relate to any training received by Defendant.

REQUEST NO. 55: Copies of all documents that refer or relate to Defendant's physical qualifications to operate a motor vehicle.

REQUEST NO. 56: Copies of all Motor Vehicle Reports (MVR's) and/or all other documents which relate to the driving record of Defendant.

REQUEST NO. 57: For the seven day period prior to and including the day of the incident which forms the basis of this suit, copies of all manifests, inventories, delivery schedules, routing slips, dispatch entries or similar documents pertaining to the vehicle you were operating at the time of the incident.

REQUEST NO. 58: Copies of any psychiatric/psychological evaluations, reports or investigations pertaining to Defendant.

REQUEST NO. 59: Copies of any medical records pertaining to Plaintiff.



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CAUSE NO. _____

PATRICIA SWITZER § IN THE DISTRICT COURT
§
V. § OF JEFFERSON COUNTY, TEXAS
§
LOREN TIMOTHY BEACH and §
BEACH TRANSPORT, INC. § _____ JUDICIAL DISTRICT

PLAINTIFF'S REQUEST FOR ADMISSIONS

TO: DEFENDANT, LOREN TIMOTHY BEACH, to be served with Plaintiff's Original Petition at 29630 Gateway Avenue, Chisago City, Minnesota 55013.

NOW COMES, PATRICIA SWITZER, Plaintiff in the above-styled and numbered cause, and in order to simplify the issues for the trial of this cause, makes the following Request for Admissions of fact under the provisions of Rule 198, Texas Rules of Civil Procedure, and demands that, within fifty (50) days after service of this request on the Defendant or his attorney, the Defendant specifically admit or deny the facts on the following pages. Defendant is hereby further advised that a failure to specifically answer any request or an evasive answer to any request will be taken as an admission of the truth of such request. For clarity, you are advised that the term "date in question" refers to January 18, 2016, as set forth in Plaintiff's pleadings that are referred to herein for all purposes.

Respectfully submitted,

THE ESTEFAN FIRM, P.C.

By: /s/ Ron Estefan
Ronald M. Estefan
State Bar No. 00785851
2306 Mason Street
Houston, Texas 77006
(713) 333-1100 Telephone
(713) 333-1101 Facsimile
ron@ronestefanlaw.com

ATTORNEY FOR PLAINTIFF

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Page 1 of 5



INSTRUCTIONS

1. For the purposes of this Request for Admissions, the term "Defendant" refers to Loren Timothy Beach in the above-styled lawsuit.
2. The phrase "on the date alleged" refers to January 18, 2016.
3. The phrase "incident in question" refers to the collision that took place on the date alleged.
4. The term "injury" refers to the injury made the basis of Plaintiff's lawsuit.
5. The term "Plaintiff" refers to Patricia Switzer.

REQUESTS FOR ADMISSIONS

Please admit or deny the following:

1. Admit or deny that at the time of the collision in question, all applicable Federal Motor Carrier Safety Rules and Regulations applied to you.
2. Admit or deny that at the time of the collision in question, all applicable Federal Motor Carrier Safety Rules and Regulations did not apply to you.
3. Admit or deny that at the time of the collision in question, you complied with all applicable Federal Motor Carrier Safety Rules and Regulations.
4. Admit or deny that at the time of the collision Defendant Beach Transport, Inc. was your employer.
5. Admit or deny that you were operating the vehicle involved in the collision while in the course of your employment with Defendant Beach Transport, Inc.
6. Admit or deny that you were negligent in causing the collision made the basis of this action.
7. Admit or deny that any mechanical problems with the vehicle caused the collision in question.
8. Admit or deny that any mechanical problems with the vehicle did not cause the collision in question.
9. Admit or deny that any mechanical problems with the vehicle contributed to the collision

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JEFFERSON COUNTY, TEXAS

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in question.

10. Admit or deny that any mechanical problems with the vehicle did not contribute to the collision in question.

11. Admit or deny that Defendant Beach Transport, Inc. was the owner of the vehicle that you were driving at the time of the collision made the basis of this action.

12. Admit or deny that you were not an independent contractor at the time of the incident in question.

13. Admit or deny that you were an independent contractor at the time of the incident in question.

14. Admit or deny that you were intoxicated at the time of the collision made the basis of this action.

15. Admit or deny that you had ingested any amount of any alcoholic drink(s), drug(s) and/or medication(s) during the 48 hours immediately preceding the accident made the basis of this lawsuit.

16. Admit or deny that you had not ingested any amount of any alcoholic drink(s), drug(s) and/or medication(s) during the 48 hours immediately preceding the accident made the basis of this lawsuit.

17. Admit or deny that you caused injuries to Plaintiff as a result of the collision made the basis of this suit.

18. Admit or deny that you caused damages to Plaintiff as a result of the collision made the basis of this suit.

19. Admit or deny that Plaintiff was injured as a proximate cause of your negligence in causing the collision made the basis of this action.

20. Admit or deny that you failed to keep a proper lookout at the time of the incident made the basis of this cause of action.

21. Admit or deny that you failed to reasonably observe road conditions at the time of the incident.

22. Admit or deny that you failed to adequately observe road conditions at the time of the incident.

23. Admit or deny that you reasonably observed road conditions at the time of the incident.

24. Admit or deny that you adequately observed road conditions at the time of the incident.

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25. Admit or deny that you failed to reasonably inspect the vehicle prior to operating it on the public roadway at the time of the incident.
26. Admit or deny that you reasonably inspected the vehicle prior to operating it on the public roadway at the time of the incident.
27. Admit or deny that you failed to reasonably maintain the vehicle prior to operating it on the public roadway at the time of the incident.
28. Admit or deny that you reasonably maintained the vehicle prior to operating it on the public roadway at the time of the incident.
29. Admit or deny that you failed to reasonably repair the vehicle prior to operating it on the public roadway at the time of the incident.
30. Admit or deny that you reasonably repaired the vehicle prior to operating it on the public roadway at the time of the incident.
31. Admit or deny that you were required to inspect the vehicle every time prior to operating it on the public roadway.
32. Admit or deny that you were not required to inspect the vehicle every time prior to operating it on the public roadway.
33. Admit or deny that you were required to maintain a record of every inspection of the vehicle prior to operating it on the public roadway.
34. Admit or deny that you were not required to maintain a record of every inspection of the vehicle prior to operating it on the public roadway.
35. Admit or deny that you maintained a record of every inspection of the vehicle prior to operating it on the public roadway.
36. Admit or deny that you did not maintain a record of every inspection of the vehicle prior to operating it on the public roadway.
37. Admit or deny that you have copies of any inspection records of the vehicle prior to the incident in question.
38. Admit or deny that you do not have copies of any inspection records of the vehicle prior to the incident in question.
39. Admit or deny that you have copies of any driver's logs of the vehicle prior or on the day of the incident in question.

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JEFFERSON COUNTY, TEXAS

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40. Admit or deny that you do not have copies of any driver's logs of the vehicle prior or on the day of the incident in question.
41. Admit or deny that you failed to keep a proper lookout.
42. Admit or deny that you moved out of your lane and into the lane to your right before the collision.
43. Admit or deny you hit the car in which Plaintiff was a passenger.
44. Admit or deny that there was damage done to the vehicle in which Plaintiff was a passenger.
45. Admit or deny that jurisdiction of this lawsuit is proper.
46. Admit or deny that your driver's license has been suspended in the last ten (10) years.
47. Admit or deny that you have been arrested for any offense other than minor traffic violations in the last ten (10) years.
48. Admit or deny that you have been involved in prior motor vehicle collisions within five (5) years of the date of the collision made the basis of this lawsuit.

I CERTIFY THIS IS A TRUE COPY
Witness my Hand and Seal of Office

February 01, 2018

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

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Witness my Hand and Seal of Office

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Jamie Smith

Certified Document Number: 1879886 Total Pages: 5

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districtclerk@co.jefferson.tx.us



C0201134---00016

Citation by Mailing

THE STATE OF TEXAS

No. A-0201134

PATRICIA SWITZER
VS. LOREN TIMOTHY BEACH ET AL

CITATION BY MAILING

**58 th JUDICIAL DISTRICT COURT
of JEFFERSON COUNTY, TEXAS**

To: **BEACH, LOREN TIMOTHY**

by serving at:
4731 400TH STREET
NORTHBRANCH, MN 55056 5218

DEFENDANT:

NOTICE:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Said answer may be filed by mailing same to: District Clerk's Office, 1085 Pearl, Room 203, Beaumont, TX 77701, (or if the case is designated as an E-file case, E-file through Lexis Nexis file and serve) or by bringing it to the office. The case is presently pending before the 58 th District Court of Jefferson County sitting in Beaumont, Texas, and was filed on the 12th day of January, 2018. It bears cause number A-0201134 and is styled:

Plaintiff:

PATRICIA SWITZER
VS.
LOREN TIMOTHY BEACH ET AL

Defendant:

The name and address of the attorney for plaintiff (or plaintiff, if pro se) is:

ESTEFAN, RONALD M, Atty.
2306 MASON STREET
HOUSTON, TX 77706 0

The nature of the demands of said plaintiff is shown by a true and correct copy of Plaintiff's PETITION (1ST AMENDED) INTERROGATORIES, REQUEST FOR ADMISSIONS, PRODUCTION ALSO ATTACHED LETTER DESIGNATING ALL CASES EFILE accompanying this citation and made a part thereof.

Issued under my hand and the seal of said court, at Beaumont, Texas, this the 12th day of January, 2018.

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

BY

Deputy

Valencia

I CERTIFY THIS IS A TRUE COPY
Witness my Hand and Seal of Office

February 01, 2018

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Jamie Smith
Page 1 of 2



RETURN OF SERVICE

A-0201134 58 th JUDICIAL DISTRICT COURT
 PATRICIA SWITZER
 LOREN TIMOTHY BEACH ET AL

Executed when copy was delivered:

This is a true copy of the original citation, was delivered to defendant _____, on the ____ day of _____, 20____.

_____, Officer
 _____, County, Texas
 By: _____, Deputy

ADDRESS FOR SERVICE:
 BEACH, LOREN TIMOTHY

4731 400TH STREET
 NORTHBRANCH, MN 55056 5218

OFFICER'S RETURN

Came to hand on the ____ day of _____, 20____, at _____, o'clock ____m., and executed in _____, County, Texas by delivering to each of the within named defendants in person, a true copy of this Citation with the date of delivery endorsed thereon, together with the accompanying copy of the Citation by Mailing at the following times and places, to-wit:

Name	Date/Time	Place, Course and Distance from Courthouse
_____	_____	_____

And not executed as to the defendant(s), _____

The diligence used in finding said defendant(s) being:

and the cause or failure to execute this process is:

and the information received as to the whereabouts of said defendant(s) being:

FEES:

Serving Petition and Copy \$ _____

Total \$ _____

_____, Officer
 _____, County, Texas

By: _____, Deputy

 Affiant

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer of authorized person who serves, or attempts to serve, a citation shall sign and return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return shall be signed under penalty of perjury and contain the following statement:

"My name is _____, my date of birth is _____, and my address is _____
 (First, Middle, Last)

(Street, City, Zip)

I DECLARE UNDER PENALTY OF PERJURY THAT THE FORGOING IS TRUE AND CORRECT.

Executed in _____, County, State of _____, on the ____ day of _____.

 Declarant/Authorized Process Server

 (Id # expiration of certification)

I CERTIFY THIS IS A TRUE COPY
 Witness my Hand and Seal of Office

February 01, 2018

JAMIE SMITH, DISTRICT CLERK
 JEFFERSON COUNTY, TEXAS

Jamie Smith
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Witness my Hand and Seal of Office

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Jamie Smith

Certified Document Number: 1879948 Total Pages: 2

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